

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE

FILED BY  D.C.

05 OCT 19 PM 2:29

JAMES W. MORGAN,

Plaintiff,

vs.

No. 05-2622 - BP

CRICKET COMMUNICATIONS, INC.,
THE CITY OF MEMPHIS, and
DONALD THOMAS,

Defendants.

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
WD OF TN, MEMPHIS

~~PROPOSED~~ SCHEDULING ORDER

PURSUANT TO written notice, a scheduling conference was held on October 20, 2005. Present were Attorney for Plaintiff, Roger K. Rutledge; Attorney for Defendant, Cricket Communications, Inc., Betty Ann Milligan; Attorney for Defendant, City of Memphis, J. Michael Fletcher. At the conference, the following dates were established as the final dates for:

INITIAL DISCLOSURES PURSUANT TO FED. R. CIV. P. 26(a)(1): Initial Disclosures shall be due on or before November 15, 2005.

JOINING PARTIES shall be joined on or before November 20, 2005.

AMENDING PLEADINGS shall be filed on or before December 20, 2005.

INITIAL MOTIONS TO DISMISS shall be filed on or before January 20, 2006.

DISCOVERY shall be completed on or before June 20, 2006.

- (a) Requests for Production of Documents shall be submitted on or before March 20, 2006.
- (b) Depositions, Interrogatories, and Requests for Admissions shall be submitted on or before March 20, 2006.

This document entered on the docket sheet in compliance
with Rule 58 and/or 79(a) FRCP on 10-19-05

(13)

(c) Expert Witness Disclosures (Rule 26):

- (1) Plaintiff's Rule 26 Expert Information shall be disclosed on or before April 20, 2006.
- (2) Defendant's Rule 26 Expert Information shall be disclosed on or before May 20, 2006.
- (3) Expert Witness Depositions shall be concluded on or before June 20, 2006.

DISPOSITIVE MOTIONS shall be filed on or before June 20, 2006.

OTHER RELEVANT MATTERS: No other deposition may be scheduled to occur after the discovery cutoff date. All motions, requests for admissions, or other filings that require a response must be filed sufficiently in advance of the discovery cutoff date to enable opposing counsel to respond by the time permitted by the Rules prior to that date.

Motions to compel discovery are to be filed and served by the discovery deadline or within thirty (30) days of the default or the service of the response, answer or objection which is the subject of the motion, if the default occurs within thirty (30) days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or the objection to the default, response, answer or objection shall be waived.

This case is set for jury trial, and the trial is expected to last two (2) days. The pretrial order date, pretrial conference date, and the trial date will be set by the presiding judge.

This case is appropriate for ADR. The parties are directed to engage in court-annexed attorney mediation or private mediation ~~after~~ the close of discovery.

before

The parties are reminded that pursuant to Local Rule 11(a)(1)(A), all motions, except motions pursuant to Fed. R. Civ. P. 12, 56, 59, and 60, shall be accompanied by a proposed order.

The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties have not consented to trial before the magistrate judge.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this order will not be modified or extended.

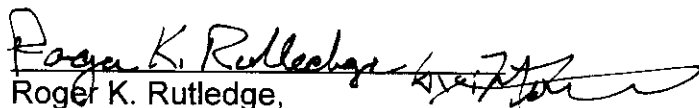
IT IS SO ORDERED.



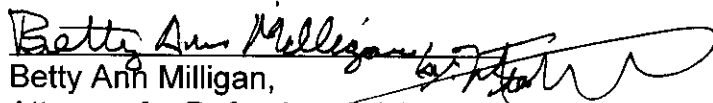
TU M. PHAM
UNITED STATES MAGISTRATE JUDGE

DATE: October 18, 2005

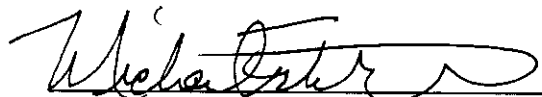
APPROVED:



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Notice of Distribution

This notice confirms a copy of the document docketed as number 13 in case 2:05-CV-02622 was distributed by fax, mail, or direct printing on October 19, 2005 to the parties listed.

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Honorable J. Breen
US DISTRICT COURT